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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/781,837

02/20/2004

Samuel Chiu

4157

7590

02/09/2006

Samuel Chiu
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Windsor, ON N9B 2H5
CANADA

EXAMINER

BUI, BING Q

ART UNIT

PAPER NUMBER

2642

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/781,837	Applicant(s) CHIU ET AL.	
	Examiner Bing Q. Bui	Art Unit 2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's Amendment filed on 11/14/2005 has been entered. Claims 8, 9 and 12 have been amended. No claims have been cancelled. No claims have been added. Claims 1-12 are still pending in this application, wherein claim 1 being independent.

Response to Arguments

2. Applicant's arguments filed 10/06/2005 have been fully considered but they are not persuasive. As to Applicant's remarks, Applicant mainly raises two following issues regarding independent claim 1:

(a) Brennen discloses a personal communication service (PCS) employed by a telephone company to carry out incoming call management. A user must subscribe to this service in order to utilize its features. In contrast to Brennan, Applicant's device is an in home or business one privately owned and not a part of any telephone company (Remarks, page 4, paragraphs 4 and 5).

(b) The Calling Line Identification (CLID) system mentioned in Brennen is vastly different from our system or method. Our invention does utilize the CNID.

Examiner respectfully disagrees for following reasons:

As to part (a), Examiner could not find any contrast between Brennan and claimed invention since nowhere in the recited claim that showing the Applicant's device

is an in home or business one privately owned and not a part of any telephone company.

As to part (b), Examiner could not find any difference between Brennan's CLID and claimed CNID since both can be represented by calling party telephone number or ANI that, as claimed invention, used by Brennan for processing the call in accordance with screening rules stored in a subscriber database.

For above reasons, Examiner's ground of rejection with Brennan is retained.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Brennan et al (US Pat No. 5,329,578).

Regarding claim 1, referring to figures 1a and 2a-2d, Brennan teaches a method for selective telephone call screening, comprising the steps of:

a) providing a user defined list of calling number identification values (CNIDs) and a list of user screening rules (see figs 2a-2d; and col. 2, lns 17-28; and col. 4, ln 67- col. 5, ln 59);

b) storing said CNIDS and said screening rules onto a database (see figs 2a-2d; and col. 2, lns 17-28; and col. 4, ln 67-col. 5, ln 59; and col. 11, lns 24-46);

c) receiving a CNID from an incoming telephone call (see figs 2a-2d; and col. 2, lns 17-28; and col. 4, ln 67-col. 5, ln 59; and col. 11, lns 24-46);

d) determining if said CNID of said incoming telephone call is valid or erroneous (see figs 2a-2d; and col. 2, lns 17-28; and col. 4, ln 67-col. 5, ln 59; and col. 11, lns 24-46);

e) selecting a certain set of said screening rules so as to apply to said incoming telephone call, hereafter referred to as the classification of said incoming telephone call (see figs 2a-2d; and col. 2, lns 17-28; and col. 4, ln 67-col. 5, ln 59; and col. 11, lns 24-46);

f) verifying said selected screening rules which have been enabled by a user (see figs 2a-2d; and col. 2, lns 17-28; and col. 4, ln 67-col. 5, ln 59; and col. 11, lns 24-46); and

g) establishing whether said incoming telephone call will be allowed to continue to ring or be terminated pursuant to said selected screening rules (see figs 2a-2d; and col. 2, lns 17-28; and col. 4, ln 67-col. 5, ln 59; and col. 11, lns 24-46).

Regarding claim 2, referring to figures 1a and 2a-2d, Brennan method of claim 1, wherein said step (e) comprises:

a) retrieving from said database said screening rules for a specific CNID error when a CNID is erroneous (see figs 2a-2d; and col. 2, lns 17-28; and col. 4, ln 67-col. 5, ln 59; and col. 11, lns 24-46);

b) searching said database for a match to a unique received CNID when said CNID is valid pursuant to said selected screening rules (see figs 2a-2d; and col. 2, Ins 17-28; and col. 4, In 67-col. 5, In 59; and col. 11, Ins 24-46); and

c) retrieving from said database said selected screening rules for instances when the valid CNID is not present in said database (see figs 2a-2d; and col. 2, Ins 17-28; and col. 4, In 67-col. 5, In 59; and col. 11, Ins 24-46).

Regarding claim 3, referring to figures 1a and 2a-2d, Brennan method of claim 2, wherein said selected screening rules may further include selecting a method to communicate to a calling party that a call has been screened and to prompt the calling party for a response, comprising the steps of:

a) seizing a telephone line and then playing a prerecorded message (see figs 2a-2d; and col. 2, Ins 17-28; and col. 4, In 67-col. 5, In 59; and col. 11, Ins 24-46);

b) prompting for a predefined key entry so as to eliminate incoming automated calling parties (see figs 2a-2d; and col. 2, Ins 17-28; and col. 4, In 67-col. 5, In 59; and col. 11, Ins 24-46); and

c) prompting for a stored pass code entry for caller authentication (see figs 2a-2d; and col. 2, Ins 17-28; and col. 4, In 67-col. 5, In 59; and col. 11, Ins 24-46).

Regarding claim 4, referring to figures 1a and 2a-2d, Brennan method of claim 1 wherein said database can store said CNIDS for entire area codes and exchanges (see figs 2a-2d; and col. 2, Ins 17-28; and col. 4, In 67-col. 5, In 59; and col. 11, Ins 24-46).

As to claims 5-12, they are rejected for the same reasons set forth to rejecting claims 1-4 above, since claims 5-12 are merely a system for implementing the method defined in the method claims 1-4.

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (571) 272-7482. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300

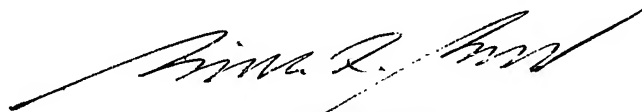
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and for formal communications intended for entry (please label the response

☐EXPEDITED PROCEDURE☐) or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

04 Feb 2006

A handwritten signature in black ink, appearing to read 'Bing Q. Bui', with a long horizontal stroke extending to the left.

BING Q. BUI
PRIMARY EXAMINER